

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

CHRISTOPHER JAMES FAUCETT,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM DECISION AND
ORDER GRANTING PETITIONER'S
MOTION AND DISMISSING CASE,
WITHOUT PREJUDICE

Civil Case No. 2:05-CV-58 TS
Civil Case No. 2:05-CV-270 TS
Criminal Case No. 2:03-CR-588 TS

On November 29, 2005, Petitioner filed two Motions,¹ which the Court construes collectively as Petitioner's Motion to Dismiss. On October 5, 2005, the Court ordered Case No. 2:05-cv-270 consolidated into 2:05-cv-58. In his Motion, Petitioner concedes that his petition brought pursuant to 28 U.S.C. § 2255 should be dismissed, without prejudice.

Based upon the above, it is hereby

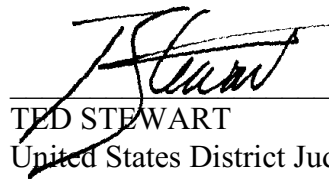
¹ One motion is styled, "Plaintiffs Motion to Vacate" [Docket No. 9 in Case No. 2:05-cv-58], and the other, without a title, asks the Court to "dismiss my 28 USC 2255 Motions" [Docket No. 4 in Case No. 2:05-cv-270].

ORDERED that Petitioner's Motion to Dismiss [Docket No. 9 in Case No. 2:05-cv-58 and Docket No. 4 in Case No. 2:05-cv-270] is GRANTED. It is further

ORDERED that this case is DISMISSED, without prejudice. The Clerk of Court is directed to close both Case No. 2:05-cv-58 and 2:05-cv-270 forthwith.

DATED this 2nd day of December, 2005.

BY THE COURT:



TED STEWART
United States District Judge